

In the United States Court of Federal Claims

No. 15-1307
(Filed: 31 March 2021)

CELLCAST TECHNOLOGIES,	*	
LLC AND ENVISIONIT, LLC,	*	
	*	
Plaintiffs,	*	
	*	
v.	*	
	*	
THE UNITED STATES,	*	
	*	
Defendant,	*	
	*	
and	*	
	*	
INTERNATIONAL BUSINESS	*	
MACHINES CORP.,	*	
	*	
Third-party defendant	*	
	*	

ORDER

On 30 March 2021, pursuant to the Court’s 25 February 2021 order, the parties filed a joint status report to jointly propose a schedule for mediation, expert discovery, and summary judgment motions. Joint Status Report Proposing a Schedule in Response to the Court’s Order of February 25, 2021, ECF No. 176 (“JSR”). The parties indicate “they have agreed to a more extended schedule for expert discovery than they originally proposed, only because: 1) [d]efendants raised scheduling conflicts, and 2) the added time provides an opportunity for [p]laintiffs and the government to attempt to mediate this case.” *Id.* at n.1.

For good cause shown, the Court **GRANTS** the parties’ jointly proposed schedule. The deadlines shall be set as follows:

Event	Date
Deadline for the Parties to Engage in Mediation	7 May 2021
Opening Expert Reports Due	31 May 2021
Rebuttal Expert Reports Due	9 August 2021

Reply Expert Reports Due	20 September 2021
Close of Expert Discovery	11 October 2021
Motions for Summary Judgment Due	15 November 2021

In the JSR, plaintiffs further request “the Court set a date for a liability trial in this case to occur during the summer of 2022.” *Id.* at 2. Defendants propose “the Court maintain[s] the approach provided for in the previous scheduling order (i.e. that a scheduling conference to discuss the trial would occur within fourteen (14) days after the Court’s summary judgment decision).” *Id.* The 17 August 2018 scheduling order states “[t]he Court will hold a scheduling conference within 14 days of any summary judgment decision to discuss the trial schedule, should any triable issues remain following summary judgment.” Order, ECF No. 131, at 3. Accordingly, the Court is not setting a date for a liability trial at this time.

IT IS SO ORDERED.

s/ Ryan T. Holte
 RYAN T. HOLTE
 Judge